



## New Jersey Department of Children and Families Policy Manual

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|-------------|------|--|-----------------|
| Manual:     | CP&P | Child Protection and Permanency              | Effective Date: |
| Volume:     | IV   | Out of Home Placement                        |                 |
| Chapter:    | A    | General Placement Considerations             | 10-24-2011      |
| Subchapter: | 3    | Review of Placements by Courts               |                 |
| Issuance:   | 300  | <b>AOC Protocol: Change in the CPRB Role</b> |                 |

### Purpose 10-24-2011

To comply with the Administrative Office of the Court's (AOC) Directive # 04-10, effective March 9, 2010, the role of the Child Placement Review Board (CPRB) has changed. At the same time, a new standard for Children in Court Cases (CIC) was adopted by the AOC.

[See Administrative Office of the Courts Directive # 04-10.pdf.htmlpub.](#)

This protocol was implemented as a result of the 2009 Federal Child and Family Service Review (CFSR), which identified needed areas of improvement in serving children in foster care in New Jersey. To continue to improve protection for New Jersey's children, the State Supreme Court adopted new procedures for monitoring abused and neglected children in foster care, providing direct judicial oversight, while relieving the CPRB of some of their oversight responsibilities in litigated cases. See [CP&P-IV-A-3-200](#), Review of Children in Placement, and N.J.A.C. 10:133H-3.3, Purpose of a placement review.

### Authority 10-24-2011

- Administrative Office of the Courts (AOC) Directive # 04-10, effective March 9, 2010.
- The Child Placement Review Act (N.J.S.A. 30:4C-50 et seq.).

### Documentation 10-24-2011

Update NJ SPIRIT to reflect each CPRB review and subsequent Court hearings as noted in this policy. Workers document reviews in NJ SPIRIT in the Legal

Action and Legal Status Windows in addition to completing Contact Activity Notes.

NJS automatically generates CP&P Form [5-47](#), Notice of Placement, to notify the Court in the county of supervision, that a child has been placed or replaced by CP&P in a reviewable living arrangement. This form is located on the Placement & Services Window within NJ SPIRIT and only becomes available in the Options drop-down menu once the Notice of Placement has been completed and saved. The assigned Worker may need to complete the notification manually, if the NJS application is down.

When a change in placement occurs, CP&P Form [18-35](#), CP&P Child Placement Review Notice of Change, is generated by NJS to notify the Court of a change in case status regarding a child in out-of-home placement. This form is automatically created in NJ SPIRIT when the Worker enters and approves changes in placement (as listed on the form) in the NJS application. The assigned Worker may need to complete the form manually, if the NJS application is down.

## **Litigated Cases      10-24-2011**

The court conducts a hearing to review litigated cases every two to three months. Judicial oversight applies to the following types of litigated cases:

- Foster Care cases: the (FC) Docket
- Pending Abuse and/or Neglect cases: the (FN) Docket
- Termination of Parental Rights: the (FG) Docket

In these litigated cases, the CPRB conducts one enhanced day review (held within the first 45 days of placement). The enhanced review is comprehensive and provides a structured and informative session for parents, resource family parents, CP&P Workers, and other child welfare stakeholders. The CPRB gathers child placement information and identifies any barriers to permanency. The CP&P Worker or his/her Supervisor is required to attend this review. Note: Subsequent CPRB reviews for litigated cases are no longer required due to the Court's direct oversight role.

## **AOC CPRB Protocol: Requisite CP&P Involvement 10-24-2011**

CP&P Workers must provide the court with CP&P Form [26-81ab](#), Family Summary/Case Plan, 10 days prior to the CPRB 45 day review.

See CP&P Form [26-81a](#) (complete report).

See CP&P Form [26-81b](#) (modified report).

The Worker's/CP&P staff role at the board review is to provide clarification and explanation about the child's placement, and progress being made by all involved parties toward stated goals. The Worker may also request that actions be recommended or taken, or information be gathered during the review, which can support and facilitate case progress toward the goal. For example, the Worker might request the Review Board use its influence to motivate the client where the client has been unresponsive to the Worker's suggestions; or the Review Board might be requested to aid in mobilizing a community resource to provide a needed service to the client.

Each CP&P Area Director meets annually with the CPRB to discuss system issues and barriers to permanency. This meeting is coordinated by vicinage court staff.

### **Voluntary Placement Cases      10-24-2011**

When there is no allegation of abuse or neglect, and CP&P has placed the child in an out-of-home setting as a result of a signed agreement by the parent, the CPRB conducts the enhanced 45 day review, as well as status reviews, and annual permanency reviews. (Voluntary placement agreements include CP&P Form [10-8](#), Consent to Independent Living by Parent(s), Legal Guardian, or Legal Custodian, used to authorize a child's placement in Independent Living; and CP&P Form [25-59](#), Residential Placement Agreement Between the State of New Jersey Division of Child Protection and Permanency and Parent(s), Legal Guardian, or Legal Custodian, used to place a child in an out-of-home treatment setting.)

Status Reviews may occur at any time, to address specific concerns. For example: CP&P requests a psychological examination. Notice to participants is not needed for a status review. Forms do not need to be completed for the AOC.

Special Reviews may occur, if necessary. For example: CP&P proposes a return home which is prohibited by the placement plan. CP&P notifies the court in writing. The special review is then conducted within 15 days to evaluate reasons for the recommended action. Parties are given notice of the special review and the CPRB drafts recommendations and a court order for the judge to consider.

The judge continues to conduct a file review 15 days after CP&P places the child in foster care, reviews the CPRB recommendations, and conducts summary hearings, as necessary.

### **When Parental Rights Have Been Terminated      10-24-2011**

When the parental rights of a child have been terminated, the court has exclusive oversight. The court refers to these cases as Post-Term. No CPRB reviews are scheduled. The Supreme Court has approved a new Children in Court (CIC) Case Standard for the review of these Post-Term cases.

The New CIC Standard reads as follows:

- Following the completion of a Termination of Parental Rights case where a Judgment of Guardianship has been issued, the court shall set a return date within 90 days to review the status of each child. When adoption is the goal, the purpose of the summary hearing is to track the status of the filing of an adoption complaint. Subsequent summary hearings before the court shall be held at least every 90 days, or less frequently at the judge's discretion, until such time as the adoption complaint is filed.
- For those children whose case goal is no longer adoption, the court shall schedule a summary hearing within 90 days. The focus of the summary hearing shall be on eliminating barriers to permanency. Subsequent summary hearings before the court shall be held at least every 90 days, or less frequently at the judge's discretion, until such time as permanency has been achieved.
- Notice of this hearing shall be provided to the resource parent. The Deputy Attorney General and Law Guardian are required to be present for the hearings. A Court Appointed Special Advocate (CASA), if assigned, shall provide a report to the court and counsel at least one week before the hearing, and may attend the hearing. The child also may attend the hearing at the court's discretion.

### **The CPR Board 45 Day Review Check List 10-24-2011**

A checklist is completed by the CPRB in both litigated and voluntary cases. The checklist serves as the CPRB's primary tool as members gather detailed information on the child's placement, while focusing in on key points of the Adoption and Safe Families Act (ASFA) of 1997, including: the child's safety, the child's need for permanency, and the need to adhere to strict timelines in achieving permanency.

The 45 Day Checklist covers the following information: detailed background information on the caregiver(s), parent and/or sibling visitation; exploration of maternal/paternal relatives as possible permanent placement options; detailed health and education information on the child; and the child's placement history.

For litigated case, there is no court order prepared immediately following the 45 day review. The court reviews the checklist at the next scheduled court event.

For voluntary cases, the 45 Day/Special Review Order is prepared for the judge's signature.

#### **Other Forms Utilized by the CPRB      10-24-2011**

- 45 Day Review - Review Board Recommendation to the Judge Form: This form is used for the 45 day review in both litigated and voluntary cases.
- Review Board Recommendation to the Judge Form (Voluntary Placement Agreements): This form is used by the CPRB for status reviews, special reviews, and annual permanency reviews.
- 45 Day/Special Review Order: This document is completed by the CPRB for voluntary cases only.
- Abuse/neglect (FN Docket) Order to Show Cause and to Appoint a Law Guardian with Temporary Custody: This document is completed by the CPRB for voluntary cases only and to appoint a Law Guardian with temporary custody.

These forms can be found in the [AOC Directive # 04-10](#).

#### **Related Policy      10-24-2011**

[CP&P-IV-A-3-200](#), Review of Children in Placement